

A CERTIFIED TRUE COPY

JUN 11 2007

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDGE KEENAN

5:07 W 0616

07 CV

5937

DOCKET NO. 1789

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY 24 2007

FILED
CLERK'S OFFICE

FLD
SD of NY
6/22/07

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

Carmen T. Wilson v. Merck & Co., Inc., E.D. California, C.A. No. 2:07-827

Elizabeth Reinhardt v. Merck & Co., Inc., M.D. Louisiana, C.A. No. 3:07-327

Sherri Ballance v. Merck & Co., Inc., W.D. Louisiana, C.A. No. 5:07-696

JUN 25 2007

ROBERT M. SHERWELL, CLERK
BY  DEPUTY
SHREVEPORT

CONDITIONAL TRANSFER ORDER (CTO-23)

On August 16, 2006, the Panel transferred four civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 444 F.Supp.2d 1347 (J.P.M.L. 2006). Since that time, 53 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable John F. Keenan.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Keenan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of August 16, 2006, and, with the consent of that court, assigned to the Honorable John F. Keenan.

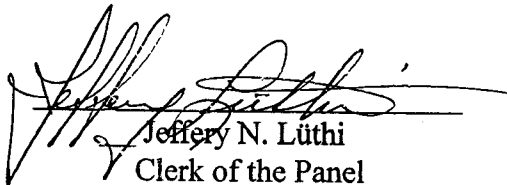
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUN 11 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

A CERTIFIED COPY
J. MICHAEL McMAHON,

BY

DEPUTY CLERK

CLERK

INVOLVED COUNSEL LIST (CTO-23)

DOCKET NO. 1789

IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION

Richard J. Arsenault
Neblett, Beard & Arsenault
2220 Bonaventure Court
P.O. Box 1190
Alexandria, LA 71309-1190

Clifford Lee Carter
Clayco C. Arnold, PLC
608 University Avenue
Sacramento, CA 95825

M. King Hill, III
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

Katharine R. Latimer
Spriggs & Hollingsworth
1350 I Street, N.W.
9th Floor
Washington, DC 20005

Christopher A. Seeger
Seeger Weiss
One William Street
10th Floor
New York, NY 10004-2502

Terry O. Tottenham
Fulbright & Jaworski, L.L.P.
600 Congress Avenue
Suite 2400
Austin, TX 78701-2011

William Paul Wilkins
E. Eric Guirard & Associates
1075 Government Street
Baton Rouge, LA 70802

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

JUN 25 2007

ROBERT H. SHENWELL, CLERK
BY  DEPUTY
SHREVEPORT

UNITED STATES DISTRICT COURT
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, N.Y. 10007
(212)805-0136

J. Michael McMahon
Clerk

USDC WD OF LOUISIANA

Date: 6/22/07

In Re: FOSAMAX

MDL 1789

Your Docket #

S.D. OF N.Y.

5:07-696

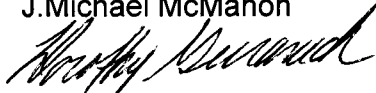
07 CV 5937

Dear Sir:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation, transferring the above entitled action presently pending in your court, to the Southern District of New York and assigned to Judge KEENAN for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

Please return the copy of this letter when transmitting YOUR FILE and a CERTIFIED COPY OF THE DOCKET SHEET.

Sincerely,
J. Michael McMahon



By:
MDL Unit